

REMARKS

The Office Action mailed February 5, 2004 has been received and reviewed. Claims 15-49 are pending with claims 16-19, 22, 24, 30, 31, 35, 37-41, 43, 47 and 49 being withdrawn subject to a restriction requirement. Claims 15, 20, 21, 25-27, 32, 34, 36 and 44-46 are rejected. Claims 23, 28, 29, 33, 42 and 48 are objected to, but otherwise indicated as reciting patentable subject matter. Claims 15, 19-21, 23-31, 33, 34, 36, 38-43 and 45-49 are amended to correct typographical errors, antecedent basis and claim dependency, and to clarify that which the Applicants consider to be their invention. For the reasons stated hereinafter, the Applicants submit that all claims, including those withdrawn, are in condition for allowance.

Objection To Claims 15 and 34 For Informalities

Claims 15 and 34 are amended to overcome the objection to the claims as noted by the examiner, except that the Applicants note with respect to the limitation "the lower hinge lobe" between lines 10 and 11, antecedent basis for the limitation is found in the claim at line 3.

Rejection Of Claims 15, 20, 21, 25-27, 32, 34, 36 and 44-46 Under 35 U.S.C. § 103

Claims 15, 20, 21, 25-27, 32, 34, 36 and 44-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2139692 ("GB 692") and in view of U.S. Pat. No. 6,106,077 to Kluge, et al. ("Kluge"). The Examiner states that GB '692 teaches the elements claimed, except that GB '692 fails to teach an annular collar that in the screwed in state is situated in the middle lobe. The Examiner states that Kluge teaches a screw with a sleeve, screw head, shank, bearing surface and an annular collar that holds the sleeve in position so that it cannot be lost. The Examiner contends, therefore, that it would have been obvious to one of skill in the art to provide the screw of GB '692 with the annular collar taught by Kluge for positioning in the middle lobe. The rejection is traversed.

As noted by the Examiner, GB '692 does not teach a screw with at least one

engaging surface that is aligned in the direction of movement in which the screw is unscrewed, or an annular collar and, therefore, fails to provide any teaching or suggestion of the benefit derived from providing an engaging and supporting surface to the sleeve as described by the present specification and as claimed. However, Kluge does not provide any meaningful teaching or suggestion of what is claimed either because Kluge isn't even analogous art. The Applicants respectfully submit that one of skill in the art would not turn to the automotive arts to solve a problem concerning structures for stably connecting interconnecting lobes of hinge parts for eyeglasses, and indeed, Kluge provides no such teaching.

While the Kluge invention is directed to a screw, the screw is provided with a supporting ring (5) which is configured to retain the screw (or wheel bolt) in the wheel of a vehicle. The annular collar (12) of Kluge is not received in any through opening of the wheel and there is no teaching or suggestion of securing together interconnected lobe parts. Moreover, the supporting ring (5) of Kluge has no elastic properties as required by claims 15 and 34; rather, the supporting ring of Kluge is made of a metal alloy (column 1, line 40). (Notably, the supporting ring of Kluge is essentially a lug nut.) Therefore, there can be no teaching or suggestion to one of skill in the art that the supporting ring is structured, and engaged by an annular collar, as claimed.

Most importantly, it is clear from FIG. 3 of the Kluge patent that the annular collar (12) does not engage or support the supporting ring (5). To the contrary, the supporting ring is "held on the bolt shaft in a ring groove (7) by way of at least one caulking." (Column 1, lines 28-30). The annular collar (12) of Kluge only keeps the supporting ring from slipping off the bolt and getting lost. Again, it is clear that Kluge does not provide any teaching or suggestion that the annular collar has an engaging surface for engaging and supporting the sleeve as claimed.

Neither GB '692 nor Kluge provides any teaching or suggestion of an annular collar that provides an engaging surface for engaging and supporting an elastic sleeve as claimed. Consequently, there is no motivation to combine the annular collar of Kluge with the screw of GB '692, and even if, for the sake of argument, the annular

collar of Kluge could be combined with the screw of GB '692, the combination would still not achieve that which is required by claims 15, 20, 21, 25-27, 32, 34, 36 and 44-46.

Additionally, the annular collar of Kluge does not act as a guide collar since the guide collar does not fit into anything, especially a through opening as required by amended claim 20.

Claims 21, 26, 27 and 32 depend from claim 15 and include the limitations thereof. Therefore, claims 21, 26, 27 and 32 are not obviated for the reasons stated above.

Neither Kluge nor GB'692 disclose longitudinal grooves as required by claim 36 and, therefore, neither reference, together or combined, can obviate claim 36.

Claims 44-46 depend from and include the limitations of claim 34. Therefore, claims 44-46 are not obviated by the references for the reasons stated previously.

CONCLUSION

In view of the foregoing arguments and clarifying amendments, the Applicants submit that claims 15, 20, 21, 23, 25-29, 32-34, 36, 42, 44-46 and 48 present patentable subject matter and are allowable. The Applicants further submit that claims 15 and 34 are generic to the species in the case and that the withdrawn claims should be rejoined for allowance of all claims in the application. Reconsideration and allowance are requested.

Respectfully submitted,



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